



U.S. Department of Justice

United States Trustee

*Region 6
Eastern & Northern District of Texas*

300 Plaza Tower 903/590-1450
110 North College Avenue FAX: 903/590-1461
Tyler, Texas 75702

OBLIGATIONS OF A CHAPTER 11 DEBTOR

DEBTOR: (Debtor name)
(Case number)

- Close all existing bank accounts.
- Upon approval of the U.S. Trustee and execution of the Statement Regarding Compliance with 11 U.S.C. §345(b), open a Debtor-in-Possession bank account within 3 days. Checks on this account must be permanently IMPRINTED with the words "DEBTOR-IN-POSSESSION" and the bankruptcy case number. The address of the debtor must also be shown on the face of the check. You are not allowed to stamp, type in, or print this designation on the checks. Send a voided sample of new checks to the U.S. Trustee.
- The debtor must provide a photo copy of the first page of all insurance policies, or a certificate of insurance, covering all the assets of the estate. This page must clearly show the type of insurance in effect and expiration dates. Should any insurance expire during the pendency of the Chapter 11, you must provide the U. S. Trustee with proof the insurance was renewed showing new expiration date.
- **KEEP ALL POST-PETITION TAXES AND PAYABLES CURRENT INCLUDING THE U.S. TRUSTEE QUARTERLY FEE PAYMENT.**
- File the Schedules and the Statement of Affairs by _____ or obtain an extension for filing prior to that date.
- Attend the initial creditors meeting scheduled for _____.
- Become familiar with the information in the "Guidelines for Debtor-In-Possession." You are responsible to ensure compliance with each Guideline.
- If applicable, file notice of intent to use cash collateral.
- **DO NOT PAY ANY DEBTS YOU OWED PRIOR TO THE FILING OF YOUR CASE WITHOUT CONSULTING YOUR ATTORNEY AND OBTAINING COURT APPROVAL, IF REQUIRED.**

- Pay the Quarterly Fee to the U.S. Trustee due each quarter during the pendency of the Chapter 11 case pursuant to Chapter 123 of Title 28 of the United States Code.

OPERATING REPORTS

- The debtor-in-possession is to submit monthly financial reports. The reports are to arrive by the 20th of the month and cover the period for the prior month. Operating reports are to be filed separately with:

U.S. Trustee
110 N. College, Suite 300
Tyler, TX 75702

U.S. Bankruptcy Clerk
200 E. Ferguson, 2nd Floor
Tyler, TX 75702

- Do not rely on one office forwarding a copy to the other. The operating report filed with the Bankruptcy Clerk's office and the U.S. Trustee's office both require an original signature. Other requirements relating to operating reports include:
- Operating reports are to be submitted on the forms provided by the U.S. Trustee;
- Operating reports are to be filed each month from the date of filing until the plan is confirmed;
- Operating reports are to be filed regardless of the financial activity for the month. There is no provision to waive the operating report requirement.
- All forms are to be completed each month;
- No extensions of time for filing will be granted.
- Regardless of who prepares the operating report, the debtor-in-possession is held responsible for the content and the accuracy of the information provided.
- The first operating report on this case will be due _____ for the period covering from the date of filing until _____ .

NOTICE

DISCLOSURE OF INTENT TO USE TAXPAYER IDENTIFYING NUMBER FOR THE PURPOSE OF COLLECTING AND REPORTING DELINQUENT QUARTERLY FEES OWED TO THE UNITED STATES TRUSTEE PURSUANT TO 28 U.S.C. 1930 (A)(6).

Please be advised that pursuant to the Debt Collection Improvement Acts of 1996, Public Law 104-134, Title III, §3001(i)(3)(A), 110 Stat. 1321-365, codified at 31 U.S.C. §3701, the United States Trustee intends to use the debtor's Taxpayer Identifying Number ("TIN") as reported by the debtor or debtor's counsel in connection with the chapter 11 bankruptcy proceedings for the purpose of collecting and reporting on any delinquent debt, including chapter 11 quarterly fees, that are owed to the United States Trustee.

The United States Trustee will provide the debtor's TIN to the Department of Treasury for its use in attempting to collect overdue debts. Treasury may take the following steps: (1) submit the debt to the Internal Revenue Service Offset Program so that the amount owed may be deducted from any payment made by the federal government to the debtor, including but not limited to tax refunds; (2) report the delinquency to credit reporting agencies, (3) send collection notices to the debtor, (4) engage private collection agencies to collect the debt, and (5) engage the United States Attorney's office to sue for collection. Collection costs will be added to the total amount of the debt.

DEBTOR INTERVIEW SUMMARY

DEBTOR INTERVIEW CONDUCTED BY: _____

ANY EXEMPTIONS GRANTED FROM REQUIREMENTS:

REQUESTED INFORMATION WHICH WAS NOT PROVIDED:

ON _____, I read and received a copy of this form and fully understand and agree to the obligations of a Chapter 11 debtor.

X _____

Signature of Debtor, Principal in Debtor or Debtor's Representative.

Please print the name above. _____

Relationship to the debtor. _____